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CLERK, U.S. DISTRICT COURT
OREGON

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

TONI LYNN ALBERTSON,)
Plaintiff,) Civ. No. 04-3097-CO
v.)
JAMES R. STEWART, et al.,) ORDER
Defendants.)
_____)

PANNER, District Judge:

Magistrate Judge John P. Cooney filed Findings and Recommendation on December 5, 2006. The matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Although neither party objected to the Findings and Recommendation, this court reviews the legal rulings of the Magistrate Judge de novo. 28 U.S.C. § 636(b)(1)(C); McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F. 2d 1309, 1313 (9th Cir. 1981).

I have, therefore, given this case de novo review. I find no

error. Accordingly, I ADOPT the Findings and Recommendation of Magistrate Judge Cooney.

CONCLUSION

Magistrate Judge Cooney's Findings and Recommendation (#62) is adopted. Defendants' motion for summary judgment (#32) is granted as to plaintiff's federal claims. Plaintiff's state law claims are dismissed without prejudice with leave to refile those claims in state court.

IT IS SO ORDERED.

DATED this 5 day of January, 2007.



OWEN M. PANNER
U.S. DISTRICT COURT JUDGE